

REMARKS

Claims 1-15 and 18-22 remain pending in the application.

Claims 1-7, 9-15 and 18-22 over Friedman

In the Office Action, claims 1-7, 9-15 and 18-22 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Pat. No. 4,122,306 to Friedman ("Friedman"). The Applicants respectfully traverse the rejection.

Claims 1-7, 9 and 10 recite a secured message authorization module adapted to allow a party calling a telephone answering device to leave a voice message together with a security code corresponding to at least one pre-authorized caller to the telephone answering device who may secure a voice message. Claims 11-15 and 18-22 recite upon matching an entered authorized security code corresponding to at least one pre-authorized caller to a telephone answering device who may secure a voice message with a pre-stored authorized security code, securing a voice message for access by at least one telephone answering device user authorized to play back said voice message.

Friedman discloses a telephone answering apparatus that allows a caller to selectively receive a message and selectively record a message by entering a pre-selected number on the calling telephone keypad (col. 6, lines 60-68; col. 7, lines 1-68 and col. 8, lines 1-20). The pre-selected number is used to select from one of eight tracks of outgoing messages and selectively leave a message on one of eight tracks used to record messages. (col. 6, lines 60-68; col. 7, lines 1-68 and col. 8, lines 1-20). Therefore, Friedman discloses a single pre-selected number corresponding to a track on a tape.

Thus, even if the Examiner is equating Friedman's pre-selected number to the claimed security code, Friedman's pre-selected number corresponds to one of eight tracks on a tape, **NOT** to a pre-authorized caller to the telephone answering device who may secure a voice message, as recited by claims 1-7, 9-15 and 18-22.

There is a very important distinction between the claimed security code corresponding to a pre-authorized caller and Friedman's pre-selected

number associated with a track on a tape. Since Friedman discloses a single pre-selected number that corresponds to a track on a tape, Friedman's invention is limited to use of only eight pre-selected numbers, i.e., equal to the number of tracks on the tape. Therefore, Friedman can not control access to the tape by multiple individuals. If a system administrator would need to take away access to the voice message system from an individual, the pre-selected number would need to be changed for a tape track. However, the pre-selected number may have been given to multiple persons. Therefore, to remove one person's access to a tape track from a large number of persons accessing the message system creates an administrative nightmare. Applicant's claimed features utilizing a security code that is associated with a pre-authorized caller to the telephone answering device who may secure a voice message. Since Applicants' security code corresponds to a caller, adding and subtracting access to a voice message system is greatly simplified. The cited prior art fails to disclose or suggest such benefits.

For at least the foregoing reasons, claims 1-7, 9-15 and 18-22 are patentable over the prior art of record. Accordingly, the Applicants respectfully request that the foregoing rejection be withdrawn.

Claims 1-7, 9 and 10 over Nabkel

In the Office Action, claims 1-7, 9 and 10 were rejected under 35 U.S.C. § 103(a) as allegedly being obvious over U.S. Pat. No. 5,963,626 to Nabkel ("Nabkel"). The Applicants respectfully traverse the rejection.

Claims 1-7, 9 and 10 recite a secured message authorization module adapted to allow a party calling a telephone answering device to leave a voice message together with a security code corresponding to at least one pre-authorized caller to the telephone answering device who may secure a voice message.

The Examiner acknowledges that Nabkel fails to disclose that a caller is authorized to secure a voice message (Office Action, page 6). The Examiner alleges that it would have been obvious to modify Nabkel to arrive at the claimed features because "such modification would have enabled subscribers

to leave voice messages for each other (Office Action, page 7). The Applicants respectfully disagree.

According to Nabkel, a subscriber that leaves a message may assign a message Personal Identification Number (PIN) associated with the message or a PIN associated with a specific individual (see col. 3, lines 13-28; col. 3, lines 55-58). A caller accessing messages enters an ID number and their PIN (see Nabkel, col. 4, lines 27-42).

Nabkel's invention is entirely directed toward **limiting access to message retrieval**. Nabkel discloses a subscriber that calls an answering service to leave a message. The subscriber is able to assign a PIN associated with a message or a PIN associated with a specific individual. The specific individual users their PIN to access the message. Nabkel fails to suggest the desirability of modifying Nabkel to **limit access to persons leaving a voice message**. "The mere fact that the prior art may be modified in the manner suggested by the Examiner does not make the modification obvious unless the prior art suggested the desirability of the modification." In re Fritch, 23 USPQ2d 1780, 1783-84 (Fed. Cir. 1992).

Moreover, the Examiner alleges such modification would have enabled subscribers to leave voice messages for each other. However, Nabkel need no modifications to allow subscribers to leave voice messages for each other. Any caller into the system can leave messages for other subscribers. The other subscribers simply need the proper PIN used by the caller to retrieve the voice messages.

Nabkel fails to disclose or **suggest** a secured message authorization module adapted to allow a party calling a telephone answering device to leave a voice message together with a security code corresponding to at least one pre-authorized caller to the telephone answering device who may secure a voice message, as recited by claims 1-7, 9 and 10.

For at least the foregoing reasons, claims 1-7, 9 and 10 are patentable over the prior art of record. Accordingly, the Applicants respectfully request that the foregoing rejection be withdrawn.

Claim 8 over Nabkel in view of Carleton

In the Office Action, claim 8 was rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Nabkel in view of U.S. Pat. No. 5,966,351 to Carleton (“Carleton”). The Applicants respectfully traverse the rejection.

Claim 8 is dependent on claim 1, and is patentable for at least the same reasons as claim 1.

Claim 8 recites a secured message authorization module adapted to allow a party calling a telephone answering device to leave a voice message together with a security code corresponding to at least one pre-authorized caller to the telephone answering device who may secure a voice message.

As discussed above, Nabkel fails to disclose or **suggest** a security code corresponding to at least one pre-authorized caller, much less a secured message authorization module adapted to allow a party calling a telephone answering device to leave a voice message together with a security code corresponding to at least one **pre-authorized caller to the telephone answering device who may secure a voice message**, as recited by claim 8.

The Office Action relies on Carleton to allegedly make up for the deficiencies in Nabkel to arrive at the claimed invention. The Applicants respectfully disagree.

According to Carleton, a sender of electronic mail messages is able to access a recipient’s mailbox to reprioritize messages previously sent by the sender (see Abstract). A sender is required to enter a security or identification password associated with a user’s extension to access the electronic mail messages (see Carleton, col. 4, lines 20-39). Thus, Carleton simply uses a conventional security or identification password to access a mailbox.

Carleton disclosing a general access code that corresponds to a message mailbox is **NOT** a security code corresponding to a pre-authorized caller, much less corresponding to a **pre-authorized caller who may secure a voice message**, as recited by claim 8.

Nabkel modified by Carleton fails to disclose, teach or **suggest** a secured message authorization module adapted to allow a party calling a telephone answering device to leave a voice message together with a security

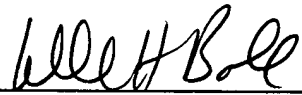
code, the security code corresponding to at least one pre-authorized caller to the telephone answering device who may secure a voice message, as recited by claim 8.

For at least the foregoing reasons, claim 8 is patentable over the prior art of record. Accordingly, the Applicants respectfully request that the foregoing rejection be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,



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